

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF TENNESSEE  
at CHATTANOOGA

UNITED STATES OF AMERICA                      )  
    )  
    )  
v.   ) 1:05-mc-21/1:98-cr-77  
  )  
WILLITRIAN J. STEWART                        )

**MEMORANDUM**

Petitioner Willitrian J. Stewart (“Stewart”) filed a petition for a writ of habeas corpus pursuant to 28 U.S.C. § 2241. On April 6, 2005, the Court directed the Clerk to send Stewart an *in forma pauperis* application and directed Stewart to pay the \$5.00 filing fee or submit an affidavit of indigency within thirty (30) days from the date of the Order. Stewart was notified that failure to comply with the Court’s order would result in the automatic dismissal of this action [Court File No. 1].

Stewart has failed to return a sufficient *in forma pauperis* application, file the \$5.00 filing fee, or file any type of response to the Court’s order. Therefore, this action will be **DISMISSED *sua sponte*** for failure to comply with the orders of this Court. FED. R. CIV. P. 41(b); *Jourdan v. Jabe*, 951 F.2d 108 (6th Cir. 1991).

An appropriate judgment will enter.

---

/s/ *R. Allan Edgar*  
R. ALLAN EDGAR  
CHIEF UNITED STATES DISTRICT JUDGE